

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GRADY BROWN,

Petitioner,

Case No. 08-14554

Honorable David N. Lawson

v.

BARRY D. DAVIS,

Respondent.

ORDER DENYING MOTION FOR RECONSIDERATION

The petitioner, Grady Zodiac Brown, filed a *pro se* petition for a writ of habeas corpus challenging his 1992 conviction for possession of less than twenty-five grams of cocaine. On July 23, 2009, the Court denied the petition, finding that it was untimely. The petitioner now asks the Court to reconsider that decision.

Motions for reconsideration may be granted pursuant to E.D. Mich. LR 7.1(g)(1) when the moving party to shows (1) a “palpable defect,” (2) that misled the court and the parties, and (3) that correcting the defect will result in a different disposition of the case. E.D. Mich. LR 7.1(g)(3). A “palpable defect” is a defect which is obvious, clear, unmistakable, manifest, or plain. *Mich. Dep’t of Treasury v. Michalec*, 181 F. Supp. 2d 731, 734 (E.D. Mich. 2002) (citations omitted). Yet motions for reconsideration should not be granted when they “merely present the same issues ruled upon by the court, either expressly or by reasonable implication.” E.D. Mich. LR 7.1(g)(3). Here, the Court has already ruled on the issues raised by the petitioner, so the motion for reconsideration will be denied.

Accordingly, it is **ORDERED** that the petitioner's motion for reconsideration [dkt. #13] is **DENIED**.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: August 14, 2009

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on August 14, 2009.

s/Lisa M. Ware
LISA M. WARE